



201 E. Fourth St
P.O. Box 2301
Cincinnati, Ohio 45201-2301

October 3, 2005

Ms. Beth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

RECEIVED

OCT 04 2005

PUBLIC SERVICE
COMMISSION

RE: In the Matter of Cincinnati Bell Telephone Company LLC's Petition for the Commission to Review a Decision of the Pooling Administrator Relative to an Application for Numbering Resources in the 859 Area Code
Case No. 2005-00406

Dear Ms. O'Donnell:

Enclosed are an original and 10 copies of Cincinnati Bell Telephone Company's Petition for the Commission to Review a Decision of the Pooling Administrator Relative to an Application for Numbering Resources in the 859 Area Code.

A duplicate original copy of this letter is enclosed; please date stamp this copy as acknowledgement of its receipt and return it in the enclosed, self-addressed envelope.

Questions regarding this filing may be directed to me at the above address or by telephone at (513) 397-6671.

Sincerely,

A handwritten signature in cursive script that reads "Patricia L. Rupich".

Patricia L. Rupich

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of:

OCT 04 2005

**Cincinnati Bell Telephone Company LLC's)
Petition for the Commission to)
Review a Decision of the Pooling)
Administrator Relative to an Application for)
Numbering Resources in the 859 Area)
Code)**

PUBLIC SERVICE
COMMISSION

Case No. 2005-00406

**PETITION OF CINCINNATI BELL TELEPHONE COMPANY LLC
FOR REVIEW OF A DECISION OF THE POOLING ADMINISTRATOR**

Cincinnati Bell Telephone Company LLC ("CBT") hereby requests that the Commission review and overturn a decision of the number Pooling Administrator ("PA") which denied a CBT application for numbering resources. On August 2, 2005, CBT filed an application with the PA for two blocks of numbers to meet a specific customer request that it was unable to satisfy with its existing numbering resources. The PA denied CBT's application on the grounds that CBT has not satisfied the months-to-exhaust ("MTE") criteria established in the Central Office Code Assignment Guidelines. Under the federal numbering rules, a state commission may overturn the PA's decision based on its determination that the carrier has demonstrated a verifiable need for the numbering resources and has exhausted all other available remedies.¹ For the reasons set forth below, CBT submits that the Commission is justified in overturning the PA's decision and granting CBT's request for these new thousands-blocks.

¹ 47 CFR 52.15(g)(4)

In its Third Report and Order in the Numbering Resource Optimization proceeding, the Federal Communications Commission (“FCC”) found that “a carrier should be able to get additional numbering resources when there is a verifiable need due to the carrier’s inability to satisfy a specific customer request.”² It also clarified that states may grant requests by carriers in such circumstances, as long as the request is for a customer seeking contiguous blocks of numbers and not vanity numbers.³ Therefore, this Commission has the authority to overturn the PA’s decisions under the appropriate circumstances.

In the immediate case, CBT has a request from Pomeroy IT Solutions seeking 2000 contiguous numbers at its headquarters in Hebron, Kentucky, which is within the Boone rate center. As explained in the attached letter (see Attachment A), the customer needs these additional numbering resources to accommodate anticipated growth and installation of a centralized phone system to serve its 26 call centers across the nation. One of the benefits of the centralized system is its ability to incorporate a consistent dialing plan across all locations. In order to take advantage of this functionality, however, the customer requires consecutive numbers.

Because CBT does not have 2,000 consecutive numbers in the Boone rate center, CBT is unable to fulfill this customer’s request without additional numbering resources. When CBT submitted its application to the PA for two thousands-blocks to meet the customer’s needs, the request was denied because CBT’s MTE in this rate center exceeds the 6-month or less MTE criteria established in the Central Office Code Assignment

² Numbering Resource Optimization, *Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200*, FCC 01-362, (rel. Dec. 28, 2001) (“Third Report and Order”) at ¶ 64.

³ *Id.*

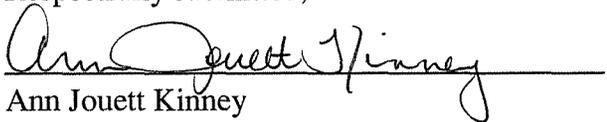
Guidelines. As a result, CBT will be unable to serve this customer without a directive from this Commission for the PA to release the numbering resources required to meet the customer's needs.⁴

To assist in the Commission's review of this petition, a copy of CBT's application to the PA, which includes the MTE and Utilization Certification Worksheet with the Pooling Administration System's response, is attached (see Attachment B). Although the PA's response indicates that CBT does not satisfy the MTE criteria, CBT notes that its utilization level of 87.286% in the Boone rate center is well above the 75% required under the FCC's rules for carriers requesting growth numbering resources.

⁴ If, for any reason, the customer would not proceed with its plans, CBT will return any uncontaminated thousands-blocks to the pooling administrator.

In sum, CBT has demonstrated a verifiable need for additional numbering resources based on its inability to satisfy a specific customer's needs and the absence of other available remedies. For this reason, CBT requests that the Commission overturn the PA's decision and direct the PA to grant CBT's application for numbering resources to satisfy the needs of Pomeroy IT Solutions.

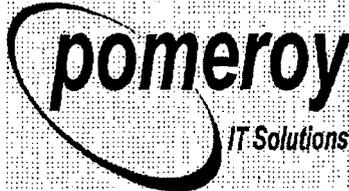
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ann Jouett Kinney", is written over a solid horizontal line.

Ann Jouett Kinney
Cincinnati Bell Telephone Company LLC
201 East Fourth Street, Room 102-890
Cincinnati, Ohio 45202
(513) 397-7260

Attorney for Cincinnati Bell Telephone
Company LLC

ATTACHMENT A



1020 Petersburg Rd
Hebron, KY 41048
859.586.0600

9/29/05

Cincinnati Bell
Pat Rupich
P O Box 2301
102-890
Cincinnati, Oh 45201

Pat,

I am writing this to request a block of 2000 numbers for our company. Ideally, the suffix would range from 3000 -- 4999, but we can realistically manage anything from 1000 through 8999. The only requirement is that they are in one consecutive block of 2000 in order to maintain consistency in our dial plan.

The need for this is created by our continued growth as well as our centralization of 26 branch offices across the nation through a change in our business model and the adaptation of IP technology. We are in the process of deploying Cisco IP telephony at our branch locations by placing a router at each branch which ties back to Hebron over MPLS data circuits. This allows us to eliminate high maintenance PBX equipment from our branch locations and provide a local Hebron number for our individual sales and service team members regardless of where they are located in the country. Each branch office will be reduced to a minimal number of POTS lines (primarily for local calls and 911 capabilities).

Our current NPA/NXX is 859:586 which again would be the ideal NXX, but any available NXX in the 859 area code will be sufficient.

Please don't hesitate to call or e-mail me with any questions you may have regarding this request.

Thanks in advance for making this happen!

A handwritten signature in black ink, appearing to read "Joe Baumer", is written over a light gray grid background.

Joe Baumer
Lead Telecom Engineer
Pomeroy IT Solutions
859.586.0600 x 1115
Joe.baumer@pomeroy.com

ATTACHMENT B

Pooling Administration System

colleen.brown@cinbell.com (SP)

Sign Out

Request Resources

State	<input type="text" value="KENTUCKY"/>
NPA	<input type="text" value="859"/>
Rate Center	<input type="text" value="BOONE"/>
OCN	<input type="text" value="9348-CINCINNATI BELL"/>
Type of Application	<input type="text" value="Application for Individual Blocks"/>
Quantity of Blocks Requested	<input type="text" value="2"/>

NOTE:

If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs.

Pooling Administration System

colleen.brown@cinbell.com (SP)

Sign Out

Part 1A

Type of Application : New

1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile.

Block Applicant :

Company Name **CINCINNATI BELL**
Headquarters Address: **201 E 4th Street**
City: **Cincinnati**
State: **OH**
Zip: **45202**

Contact Name **Ms Colleen M Collins**
Contact Address **209 West 7th Street 121-1075**
City **Cincinnati**
Zip **45202**
Telephone **(513) 565-2861**
E-mail **colleen.brown@cinbell.com**

State **OH**

Fax

Pooling Administrator :

Contact Name **Ms Genevieve Paulino**
Contact Address **1800 Sutter St. Ste. 780**
City **Concord**
Zip **94520**
Telephone **(925) 363-7652**
E-mail **genevieve.paulino@neustar.biz**

State **CA**

Fax **(925) 363-7683**

1.2 General Information

LRN Needed **No**

NPA **859**

LATA *

OCN **9348-CINCINNATI BELL**

Parent Company OCN *

Number of Thousands-Blocks Requested **2**

Switch Identification (Switching Identity/POI) *

City or Wire Center Name

Rate Center **BOONE**

Rate Center Sub Zone

1.3 Dates

Date of Application **Tuesday, August 2, 2005**

Requested Block Effective Date **2 Sep 2005**

Request Expedited Treatment Yes No

1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider * **Incumbent Local Exchange Carrier (ILEC)**

b) Primary type of service Blocks to be used for * **Wireline**

<p>c) Thousands-Block(s) (NPA-NXX-X) assignment preference Click here to see the available blocks in the pool.</p>	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>
<p>d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any</p>	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>

e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool) **N/A**

1.5 Type of Request

Initial block for rate center Yes

Growth block for rate center Yes

Change block **N/A**

Disconnect block **N/A**

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines INC 99-0127-023

Continue **Cancel**

Pooling Administration System

colleen.brown@cinbell.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level

Date **Tuesday, August 2, 2005**

OCN **9348**

Company Name **CINCINNATI BELL**

Rate Center **BOONE**

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)

859-022,282,283,859-334-2000-9999,371,372,384,525,859-534-4000-5999,586,859-594-3000-4999,647,859-657-6000-6999,859-689-0000-7999,859-689-9000-9999,746,767,859-817-2000-8999,859-962-4000-5999

Name of Block Applicant **Ms Colleen M Collins**

Title **Technical Clerk 3**

Telephone Number **(513) 565-2861**

Fax Number

E-Mail **colleen.brown@cinbell.com**

A. Available Numbers *

B. Assigned Numbers *

C. Total Numbering Resources *

D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months²

Month 1	<input style="width: 80%;" type="text" value="92"/>	Month 2	<input style="width: 80%;" type="text" value="48"/>
Month 3	<input style="width: 80%;" type="text" value="1196"/>	Month 4	<input style="width: 80%;" type="text" value="252"/>
Month 5	<input style="width: 80%;" type="text" value="-70"/>	Month 6	<input style="width: 80%;" type="text" value="-260"/>

F. Forecast - Next 12 months³ *

Month 1	209	Month 2	212
Month 3	219	Month 4	225
Month 5	228	Month 6	230
Month 7	236	Month 8	240
Month 9	242	Month 10	249
Month 11	250	Month 12	253

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) **220.500**

H. Months to Exhaust⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	16542	75.020
2	17542	79.556

I. Utilization⁵(Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 **87.286**

Explanation

CUSTOMER IS REQUESTING 2,000 NUMBERS THAT MUST BE CONSECUTIVE IN ORDER TO MAINTAIN CONSISTENCY IN THEIR DIAL PLAN. CUSTOMER IS REQUESTING SUFFIX

1. A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
2. Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.
3. Forecast of TNs needed in each following month, starting with the most recent month as Month #1.
4. To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii)).
5. Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g) (3)(ii))

Pooling Administration System

 colleen.brown@cinbell.com (SP)

[Sign Out](#)

Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)

You have requested more blocks than you will exhaust in six months.

Select One Option and Submit

- Return to the Months To Exhaust Form
- Discard all the information provided for the request and start with a fresh Part 1A
- State Waiver Option